

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE:	:	
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Jami L. Lemerise	:	Case No.: 20-10885(ELF)
	:	
Debtor (s)	:	Chapter 13

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**MOTION TO AVOID A JUDICIAL LIEN PURSUANT TO 11 USC 522(f)**

Jami L. Lemerise hereinafter referred to as “Debtor” moves this Honorable Court for an Order Avoiding the Judicial Lien held by Sterling Jewelers, Inc. and in support thereof aver as follows:

1. Debtor filed a Chapter 13 Bankruptcy on or about February 13, 2020.
2. This Motion is filed pursuant to 11 USC § 522(f) to avoid and cancel a judicial lien held by Sterling Jewelers, Inc. on the real property known as and located at 820 Avenue F, Langhorne, Pennsylvania 19047 (hereinafter referred to as “the property”).
3. Sterling Jewelers, Inc. obtained a judgment against the Debtor stemming from the case numbered 2017-01901 in Bucks County, Pennsylvania. A true and correct copy of the judgment is attached hereto, incorporated herein and labeled as “**Exhibit A.**”
4. The judgment was entered and damages were assessed at \$1,699.19 in favor of Sterling Jewelers, Inc.
5. The property is the Debtor’s residence and at the time of filing had a value of \$193,600.00 without deducting any reasonable and necessary costs for a potential sale, as evidenced by a fair market valuation. Attached hereto, incorporated herein and labeled as “**Exhibit B**” is a fair market valuation of the residence.

6. The Debtor's residence is encumbered by a mortgage of \$217,565.05 held by M&T Bank. A true and correct copy of the relevant portion of the mortgagee's proof of claim is attached hereto, incorporated herein and labeled as "**Exhibit C.**"

7. Under 11 U.S.C § 522 (f)(2)(A) "a lien shall be considered to impair an exemption to the extent that the sum of...(i) the lien; (ii) all other liens on the property; and (iii) the amount of the exemption that the debtor could claim if there were no liens on the property; exceeds the value that the debtor's interest in the property would have in the absence of any liens."

8. The aforementioned judicial lien impairs the Debtor's exemption on her residence, and is otherwise unsecured based on the value of the Debtor's residence.

**WHEREFORE**, the Debtor requests an Order avoiding the judicial lien on Debtor's residence and for such additional or alternative relief as may be just and proper.

Dated: May 5, 2020

/s/Brad J. Sadek, Esq  
Brad J. Sadek, Esq.  
Sadek and Cooper Law Offices  
Attorney for Debtor  
1315 Walnut Street  
Suite #502  
Philadelphia, PA 19107